

**Fire Safety Code Board
Of Appeal and Review
June 19, 2012**

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday June 19, 2012. Present were Chairman Newbrook, Vice Chairperson Filippi and Commissioners Dias, Walker, Jasparro, Sylvester, Burlingame, Richard and Blackburn. Commissioners Pearson and Jackson were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard:

APPEAL #120068: Ms. Kathryn Keenan, for the property located at 2970 Mendon Road in Cumberland. Chief Findlay and ADSFM Nicholas Anderson appeared for the Cumberland Hill Fire Department. Commissioner Sylvester made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is directed not to use the second floor of this facility, and to install a door at the top of the stair and lock and secure that door. Based on the square footage and the occupancy of under 300 people, the Applicant has testified that instead of a sprinkler system, a municipally connected fire alarm system will be installed, and the facility's occupancy will be posted at 150 persons. The Applicant is

directed to present a plan of action for the correction of all outstanding deficiencies within this facility, including the municipally connected fire alarm, within thirty (30) days from the date of the decision, and is granted an additional 120 days to implement that plan of action. The Cumberland Hill Fire Marshal may extend the above timeline for good faith efforts being demonstrated by the Applicant. The motion passed over the opposition votes of Commissioners Dias, Richard and Burlingame.

APPEAL #100053: Evans Plating Corp., for the property located at 50 Waterman Avenue in North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office, and testified that the occupancy classification should be Special Hazard, not High Hazard as stated in the report. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty (30) days from the date of the decision to present a plan of action to the North Providence Fire Marshal's Office for the correction of outstanding deficiencies within this facility and an additional 150 days to implement that plan. The North Providence Fire Marshal's Office has the authority to extend the above time for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #100106: Gemma Realty, for the property located at 428 Woonasquatucket Avenue, North Providence. ADSFM John Horan appeared for the North Providence Fire Marshal's Office.

Commissioner Sylvester made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance of one year to provide a compliant fire alarm system within this facility. The Applicant is granted a time variance of thirty (30) days to present a plan of action to the North Providence Fire Marshal's Office for the correction of any other outstanding deficiencies within this facility and an additional 120 days to implement that plan of action. The North Providence Fire Marshal may extend the above times for good faith efforts being demonstrated by the Applicant. The motion passed over the opposition vote of Commissioner Burlingame.

APPEAL #100107: Gemma Realty, for the property located at 1455 Mineral Spring Avenue, North Providence. ADSFM John Horan appeared for the North Providence Fire Marshals' Office. Commissioner Walker made a motion, seconded by Commissioner Sylvester, to grant the Applicant a time variance of one year to provide a compliant fire alarm system within this facility. The Applicant is granted a time variance of thirty (30) days to present a plan of action to the North Providence Fire Marshal's Office for the correction of any other outstanding deficiencies within this facility and an additional 120 days to implement that plan of action. The North Providence Fire Marshal may extend the above times for good faith efforts being demonstrated by the Applicant. The motion passed over the opposition vote of Commissioner Burlingame.

APPEAL #090039: St. John the Baptist Romanian Orthodox Church,

for the property located at 110 Elbow Street in Woonsocket. Assistant Deputy State Fire Marshals David Degrange and Scott Popovitch appeared for the Woonsocket Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Richard, to grant the following relief. The Applicant may choose one of two options. The Applicant may limit the occupancy of this facility to forty-nine (49) persons, at which time the facility ceases to be a place of assembly and is not required to comply with the places of worship provisions. The Applicant is directed to notify the Woonsocket Fire Marshal's Office if the occupancy is expected to go over the 49 person limit, at which time the Woonsocket Fire Marshal's Office may require a firefighter detail to be present at that facility. If the Applicant chooses instead to comply with the provisions for Places of Worship, he is granted a time variance until the end of the year to bring this facility into compliance with the code. The motion passed unanimously.

APPEAL #090193: Ms. Coleen O'Brien, for the property located at 284 Cass Avenue, Woonsocket. Assistant Deputy State Fire Marshals David Degrange and Scott Popovitch appeared for the Woonsocket Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance in which to separate the garage from the business portion of this facility, and to separate the commercial sections from the residential portion of this facility. The Applicant is directed to present a plan of action to the Woonsocket Fire Marshal's Office for this work,

as well as the correction of any other outstanding deficiencies in this facility, within thirty (30) days from the date of the decision. The Applicant is granted an additional time variance of 120 days to implement that plan and the Woonsocket Fire Marshal's Office may extend any of the above timelines for good faith efforts being shown by the Applicant. The motion passed over the opposition votes of commissioners Sylvester and Blackburn.

APPEAL #090371: The Applicant did not appear for the property located at 519-521 Elm Street in Woonsocket. Assistant Deputy State Fire Marshals David Degrange and Scott Popovitch appeared for the Woonsocket Fire Marshal's Office. Marshal Degrange testified that this facility is in compliance with the fire code. Commissioner Sylvester made a motion, seconded by Commissioner Jasparro, to close this file. The motion was unanimous.

Respectfully submitted

Carol Marsella